

Application No. 10/667,026
Amendment dated March 28, 2006
Reply to Office Action of January 10, 2006

REMARKS:**Status Of Claims**

Claims 1-44 were previously pending in the application. Claims 1, 11, 23, 33, 34, and 44 have been amended. Claims 45-50 have been added. Thus, claims 1-50 are currently pending in the application with claims 1, 11, 19, 23, 34, 44, 45, 47, and 48 being independent.

Office Action

Applicant would like to thank the Examiner for indicating that claims 19-22 are allowed.

In the Office Action, the Examiner rejected claims 1-3, 5, 23-25, 27, 29, 33-36, and 42-44 under 35 U.S.C. 102(e) as being anticipated by Fujimoto et al., U.S. Patent Application No. 2004/0006423. The Examiner also rejected claim 38 under 35 U.S.C. 103(a) as being unpatentable over Fujimoto. The Examiner also rejected claims 4, 6-18, 26, 28, 30-32, 37, 39, and 40 under 35 U.S.C. 103(a) as being unpatentable over Fujimoto in view of Michaelson, U.S. Patent No. 6,734,808. The Examiner also rejected claim 41 under 35 U.S.C. 103(a) as being unpatentable over Fujimoto in view of Michaelson and Horvath et al., U.S. Patent No. 6,473,003. Applicant respectfully submits that the currently pending claims distinguish the present invention from Fujimoto, Michaelson, Horvath, and the other prior art references of record, taken alone or in combination with each other.

Specifically, claims 1, 11, and 23 all recite "receiving one or more preselected

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conditions from a user". Similarly, claim 34 recites "a user interface operatively coupled to the processor, wherein the user interface receives one or more preselected conditions from a user". Claim 44 recites "performing a marine route calculation algorithm to analyze a course between a first location and the potential waypoint in view of preselected conditions received from a user", emphasis added. Furthermore, claims 1, 11, 23, and 34, each now require that the preselected conditions be "selected from the group of water depth, sandbars, shelves, wind conditions, weather conditions, ice, and type of water bottom". Claim 44 now requires the preselected conditions being "selected from the group of naturally occurring land mass, water depth, sandbars, shelves, wind conditions, weather conditions, ice, and type of water bottom". Finally, claim 10 recites "the preselected conditions including a weather condition", claim 18 recites "the preselected conditions including a water depth", and claim 33 now recites "the preselected conditions including a water depth". It should be noted that the claims require actually routing and/or analyzing a course in view of the preselected conditions to provide an alert or avoid the preselected conditions.

In contrast, Fujimoto neither discloses nor suggests any of these criteria being used as preselected conditions. Rather, Fujimoto only discloses an automatic maneuvering system that can avoid docks and other man-made structures, and then only when the user specifically defines those obstacles for his system. While Michaelson does display weather conditions, Michealson fails to teach analyzing a course in view of those weather contidtions, much less routing a course to avoid them. Thus, no combination of Fujimoto,

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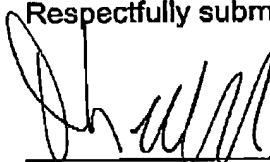
Michaelson, and/or Horvath discloses, suggests, or make obvious the limitations of the currently pending claims.

Claims 45-50 have been added to further distinguish the present invention over the prior art. The remaining claims all depend directly or indirectly from independent claims 1, 11, 23, and 34, and are therefore also allowable.

Any additional fee which is due in connection with this amendment should be applied against our Deposit Account No. 501-791. In view of the foregoing, a Notice of Allowance appears to be in order and such is courteously solicited.

Respectfully submitted,

By:



David L. Terrell, Reg. No. 50,576
Garmin International, Inc.
1200 East 151st Street
Olathe, KS 66062
(913) 397-8200
(913) 397-9079 (Fax)